

## Message Text

LIMITED OFFICIAL USE

PAGE 01 EC BRU 04435 220932Z

15

ACTION EB-11

INFO OCT-01 EUR-25 IO-14 ISO-00 ARA-16 OMB-01 TAR-02 SP-03

SWF-02 AGR-20 AID-20 CIAE-00 COME-00 INR-10 LAB-06

NSAE-00 OIC-04 RSC-01 SIL-01 STR-08 TRSE-00 CIEP-02

CEA-02 AF-10 EA-11 NEA-14 L-03 DRC-01 /188 W

----- 123183

O R 220847Z JUN 74

FM USMISSION EC BRUSSELS

TO AMEMBASSY MEXICO CITY IMMEDIATE

INFO SECSTATE WASHDC 7095

USMISSION USUN NY

USMISSION GENEVA

LIMITED OFFICIAL USE EC BRUSSELS 4435

GENEVA FOR CSCE

E.O. 11652: N/A

TAGS: ETRD CSCE EEC UNCTAD

SUBJECT: UNCTAD CONFERENCE ON RIGHTS AND DUTIES OF STATES

1. THE COMMISSION OF THE EUROPEAN COMMUNITIES (FRIEDRICH KLEIN, DIRECTOR FOR TRADE QUESTIONS WITH COUNTRIES WITH PLANNED ECONOMIES) HAS RAISED WITH THIS MISSION THE QUESTION OF THE NON-DISCRIMINATION CLAUSE IN PARAGRAPH THREE OF THE CHARTER CURRENTLY UNDER DISCUSSION AT THE UNCTAD CONFERENCE IN MEXICO CITY. THE COMPROMISE FORMULATION, WHICH IS SCHEDULED TO BE DISCUSSED AND PERHAPS DECIDED THIS WEEKEND, USES THE FOLLOWING LANGUAGE: "EVERY STATE HAS THE RIGHT TO ENGAGE IN INTERNATIONAL TRADE AND OTHER FORMS OF ECONOMIC CO-OPERATION IRRESPECTIVE OF ANY DIFFERENCES IN POLITICAL, ECONOMIC AND SOCIAL SYSTEMS AND NOT TO BE SUBJECTED TO DISCRIMINATION OF ANY KIND BASED IN PARTICULAR ON SUCH DIFFERENCES".

2. THE COMMISSION AND IN GENERAL THE MEMBER STATES ARE OPPOSED TO THE USE OF THE WORD "DISCRIMINATION", FEARING THAT TO ACCEPT

LIMITED OFFICIAL USE

PAGE 02 EC BRU 04435 220932Z

SUCH A FORMULATION AT THE UNCTAD MEETING WOULD UNDERMINE WESTERN

EFFORTS TO AVOID SUCH REFERENCES AT THE CONFERENCE ON SECURITY AND COOPERATION IN EUROPE (CSCE).

3. EC PREFERS LANGUAGE SUCH AS "UNJUSTIFIED DIFFERENTIATED TREATMENT" OR "DIFFERENT TREATMENT OF EQUAL SITUATIONS", AND WOULD END COMPROMISE FORMULATION AFTER THE WORD "KIND".

4. COMMISSION HAS BEEN INFORMED BY ITS REPRESENTATIVE AT THE UNCTAD MEETING THAT CANADIAN OPPOSITION TO USE OF WORD "DISCRIMINATION" IS WEAKENING, AND THAT THE POSSIBILITY EXISTS THAT THE U.S. POSITION TOO MAY BE ERODING. (WITHIN THE EC, THE COMMISSION IS TAKING THE TOUGHEST LINE AGAINST THE PROPOSED LANGUAGE, BUT THE GERMANS HAVE APPARENTLY CIRCULATED AMONG THE NINE ALTERNATIVE LANGUAGE TO THAT IN PARA ONE ABOVE WHICH, WHILE PROVIDING SOME FLEXIBILITY OF INTERPRETATION, DOES INCLUDE THE WORD "DISCRIMINATION". THE COMMISSION OPPOSES THE GERMAN PROPOSAL AND HOPES THAT IT WILL NOT SURFACE OUTSIDE THE NINE.)

5. THE COMMISSION (KLEIN) BELIEVES THAT IT IS "HIGHLY IMPORTANT NOT TO GIVE IN", AND IN PARTICULAR THAT THE U.S. CONTINUE TO OPPOSE THE USE OF THE WORD "DISCRIMINATION" IN PARAGRAPH THREE OF THE CHARTER BECAUSE OF THE POTENTIAL FOR DAMAGE TO THE NEGOTIATING POSITION OF THE WEST AT CSCE. HE ASKED THAT THE COMMISSION'S VIEWS BE CONVEYED TO THE APPROPRIATE AMERICAN OFFICIALS. (KLEIN HAS ALREADY TELEPHONED THE CANADIAN AMBASSADOR TO THE EC TO URGE FIRMNESS ON THE PART OF CANADA.) GREENWALD

LIMITED OFFICIAL USE

NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** TRADE, TRADE DISCRIMINATION, MEETINGS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 22 JUN 1974  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** golinofr  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1974ECBRU04435  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Film Number:** D740164-0681  
**From:** EC BRUSSELS  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1974/newtext/t19740622/aaaaasip.tel  
**Line Count:** 89  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ACTION EB  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:**  
**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** n/a  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** golinofr  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 04 APR 2002  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <04 APR 2002 by izenbei0>; APPROVED <18 JUN 2002 by golinofr>  
**Review Markings:**

Declassified/Released  
US Department of State  
EO Systematic Review  
30 JUN 2005

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** UNCTAD CONFERENCE ON RIGHTS AND DUTIES OF STATES  
**TAGS:** ETRD, EEC, UNCTAD, CSCE  
**To:** MEXICO  
**Type:** TE  
**Markings:** Declassified/Released US Department of State EO Systematic Review 30 JUN 2005